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STATE FOR INL/AEE (CAMPBELL AND BARCLAY) AND EUR/ACE
(ALTMAN-WINANS)

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TAGS: [PREL](#) [PGOV](#) [SNAR](#) [GG](#)
SUBJECT: EVIDENCE TAMPERING SCANDAL HITS GEORGIAN MINISTRY
OF INTERNAL AFFAIRS

REF: 06 TBILISI 1301

Classified By: AMBASSADOR JOHN F. TEFFT FOR REASONS 1.4 (B) AND (D)

¶1. (C) Summary: A top Ministry of Internal Affairs official (MOIA) was arrested May 2 on charges of evidence tampering, along with the deputy of the MOIA Forensics Lab and one other police officer. Deputy General Prosecutor and National Movement activist Nika Gvaramia downplayed the extent of evidence tampering at the MOIA Forensic Lab, which reports directly to Minister of the Interior Ivane Merabishvili. Further charges of planting evidence brought by Public Defender Sozar Subari against the MOIA head of Special Operations Irakli Kodua on May 23rd, however, may indicate a bigger problem. End Summary.

Planting Evidence

¶2. (C) MOIA Deputy Chief of General Inspection (Note: Georgian Equivalent of Internal Affairs. End Note) General Davit Kakua was arrested on May 2 on charges of fabricating evidence in the high-profile 2002 murder of AES Telasi Finance Director Nika Lominadze. Also arrested were the deputy of the MOIA Forensic Lab Zaza Altunashvili and police official Mikheil Ivanikashvili. According to a former MOIA official familiar with the case, Kakua allegedly planted a bullet casing on the scene and then tried to implicate, through falsified ballistic evidence involving Altunashvili, police officer Davit Mchedlidze. He was held for six months and released in 2003. In May 2006, former AES Telasi Commercial Manager Giorgi Gvichiani was sentenced to life imprisonment for the murder of Lominadze.

Internal Affairs or Internal Problem?

¶3. (U) The arrest of MOIA Deputy Chief of General Inspection Kakua is the second scandal to hit the MOIA General Inspectorate. In March 2006, Chief of General Inspection Vasil Sanodze was forced to step down--along with three other MOIA top officials--in connection with the February 2006 murder of Sandro Girgvliani. Sanodze was never charged, and four low-ranking MOIA officers were later convicted of the manslaughter.

¶4. (C) For his part, Kakua is reputed to have a violent past. Giorgi Chkheidze, former Deputy Procurator and now head of the Georgian Young Lawyers' Association, told poloff that Kakua is implicated in torture, excessive use of force, and other human rights violations. (Comment: According to former MOIA officials, the MOIA General Inspectorate has been used to force out politically undesirable employees with threats

of criminal charges if the employee does not resign. Former Police Academy Rector Levon Izoriya, for example, alleged that Sanodze told him in January 2006 that he should resign or would face an inspection that would end with criminal charges. He resigned and now is the Dean of Law of the Georgian University of Social Sciences, where President Saakashvili's mother is rector. No charges were ever filed. End Comment).

How widespread?

¶5. (C) Deputy Prosecutor General Nika Gvaramia told INL officer on May 16 that the situation "has changed" at the MOIA laboratory from the time when Kakua is alleged to have planted evidence. He added that the tainted evidence did not play a role in the 2006 conviction of Gvichiani. (Comment: INL Forensic Adviser Donnell Christian commented that barring a full-blown investigation, it is too early to dub the incident "only sins of the past." According to him, "it would not be a large leap from tampering evidence or fabricating evidence to expecting the people under his command to do the same." End Comment).

¶6. (C) On May 23rd, however, Ombudsman Sozar Subari, according to press reports, called for the suspension of MOIA Special Operations Department head Irakli Kodua for alleged involvement in torture, fabrication of evidence, and the arrest of innocent men. According to Subari, a probe by the Public Defender's office revealed that evidence against three men in a February 2007 case had been "fabricated by law enforcement agencies." (Comment: In May 2006, an INL contact--a former state security operative--told us that Kodua was involved in the extortion of money from business men as

well as in illegal privatizations. He could, however, provide no concrete evidence. End Comment).

7.(C) Comment: The Ministry of Internal Affairs under Minister Merabishvili has done much to boost salaries, increase training, and improve equipment and facilities. Crime is down, and police--thanks to the visionary dismissal of all corrupt traffic police and their replacement by the new Patrol Police--enjoy popular support. That said, per reftel the MOIA been hesitant to tackle further structural reform, such as the appointment of a Police Commissioner, creation of a unified Police Department, reform of the Criminal Police, or creation of Civilian Review Boards. We hope these latest incidents reignite reformist tendencies in the MOIA; bringing Kakua to justice is a good first step.

¶8. (C) Comment Continued: INL forensic projects are largely conducted with the Ministry of Justice's National Forensic Lab to achieve the highest level of independence from prosecution and investigation. We work where possible with the MOIA lab, but since the May 2 scandal we vet any candidate for training with the Prosecutor General. End Comment.

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